

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE: Application of Curt Dale HAFFNER et al.

Serial No.: To be assigned

Filing Date: Concurrently herewith

For: *Use of FXR Ligands*

**Mail Stop: PATENT APPLICATION**

**Commissioner for Patents**

**P.O. Box 1450**

**Alexandria, VA 22313-1450**

**INFORMATION DISCLOSURE STATEMENT**

Applicants request that the references identified on Form PTO-1449 appended hereto be considered by the Examiner and officially made of record in accordance with the provisions of 37 CFR 1.97

☐ Copies of the references are enclosed

☒ Copies of the references were submitted in parent application Serial No. 09/868,397. (37 CFR 1.98(d))

☐ A copy of the International Search Report which issued on International Application No. \_\_\_\_\_ is submitted herewith. All of the publications cited in the International Search Report are listed on the attached form PTO-1449 and Applicants understand that copies have been supplied to the U.S. Patent Office by the International Bureau.

A. ☒ The Information Disclosure Statement submitted herewith is being filed within three months of the filing date of the above application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 CFR 1.97(b).

OR

☐ The Information Disclosure Statement submitted herewith is being filed before the mailing of a first office action after the filing of a Request For Continued Examination under 37 C.F.R. 1.114 (37 C.F.R. 1.97(b)(4)).

B. ☐ The Information Disclosure Statement transmitted herewith is being filed **after** three months of the filing date of the above application or the date of entry into the national stage as set forth in § 1.491 of an international application or after the mailing date of the first Office Action on the merits, whichever event occurred last, but **before** the mailing date of either:

- (1) a final action under § 1.113 or
  - (2) a notice of allowance under § 1.311,
- whichever occurs first.

☐ Applicant hereby certifies that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.

☐ Applicant elects the option to pay the fee set forth in 37 CFR 1.17(p) for submission of an Information Disclosure Statement under § 1.97(c) (\$180.00).

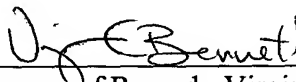
- C. ☐ The Information Disclosure Statement transmitted herewith is being filed **after** a final action under § 1.113, or a notice of allowance under § 1.311, whichever occurs first, but before the payment of the issue fee. Also enclosed is a copy of the International Search Report which Issued on International Publication No.

In accordance with the requirements of 37 CFR 1.97(d):

- ☐ Applicant hereby certifies that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- ☐ Applicant hereby petitions for the consideration of the accompanying Information Disclosure Statement. 37 CFR 1.97(d)(ii).
- ☐ The petition fee set forth in § 1.17(i)(1) (\$130.00) is submitted herewith.

- ☒ Please charge any required fees to Deposit Account No.07-1392.
- ☐ A duplicate copy of this paper is attached.

Respectfully Submitted,



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|---|-----|--|---------------------|-----------------------|-----------------|----------------|----------------------------------|
| <b>FORM PTO-1449</b><br><b>INFORMATION DISCLOSURE STATEMENT</b>   |     |  |                     | ATTORNEY DOCKET NO.   |                 | SERIAL NO.     |                                  |
|   |     |  |                     | PU3616US2             |                 | To be assigned |                                  |
|   |     |  |                     | APPLICANT             |                 |                |                                  |
|   |     |  |                     | BLANCHARD et al.      |                 |                |                                  |
|   |     |  |                     | FILING DATE           |                 | GROUP          |                                  |
|   |     |  |                     | Concurrently herewith |                 |                |                                  |
| U.S. PATENT DOCUMENTS   |     |  |                     |                       |                 |                |                                  |
| Examiner<br>Initials  |     | Patent<br>Number   | Issue Date          | Name                  | Class           | Subclass       | Filing Date<br>If<br>Appropriate |
|   |     |  |                     |                       |                 |                |                                  |
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| FOREIGN PATENT DOCUMENTS  |     |  |                     |                       |                 |                |                                  |
|   |     | Document<br>Number   | Publication<br>Date | Country               | Class           | Subclass       | Translation<br>Yes   No          |
|   | 1.  | EP 0245825   | 11/19/1987          | EPO                   |                 |                |                                  |
|   | 2.  | WO 91/15479  | 10/17/1991          | WIPO                  |                 |                |                                  |
|   | 3.  | WO 96/21742  | 07/18/1996          | WIPO                  |                 |                |                                  |
|   | 4.  | WO 97/04774  | 02/19/1997          | WIPO                  |                 |                |                                  |
|   | 5.  | WO 99/18124  | 04/15/1999          | WIPO                  |                 |                |                                  |
|   | 6.  | WO 99/50664  | 10/07/1999          | WIPO                  |                 |                |                                  |
|   | 7.  | WO 00/25134  | 05/04/2000          | WIPO                  |                 |                |                                  |
|   | 8.  | WO 00/39070  | 07/06/2000          | WIPO                  |                 |                |                                  |
|   | 9.  | WO 00/57915  | 10/05/2000          | WIPO                  |                 |                |                                  |
| Continue on page _____  |     |  |                     |                       |                 |                |                                  |
| OTHER DOCUMENTS (Including Author, Title, Journal-Date, Page Number, Etc.)  |     |  |                     |                       |                 |                |                                  |
|   | 10. | Comment of Saul J. Karpen, M.D., Ph.D. on Parks et al., <i>Hepatology</i> 30:4 1107-1109 (October 1999).   |                     |                       |                 |                |                                  |
|   | 11. | Knowles et al., "Action of 5-isoxazolones on enamines," <i>J. Chem. Soc. Perk. Trans. 1</i> 9-10:1240-1243 (1972). (abstract only)   |                     |                       |                 |                |                                  |
|   | 12. | Krey et al., "Fatty acids, eicosanoids, and hypolipidemic agents identified as ligands of peroxisome proliferator-activated receptors by coactivator-dependent receptor ligand assay," <i>Molecular Endocrinology</i> 11(6):779-791 (Jun. 1997). |                     |                       |                 |                |                                  |
|   | 13. | Makishima et al., "Identification of a nuclear receptor for bile acids," <i>Science</i> 284:1362-1365 (1999).  |                     |                       |                 |                |                                  |
|   | 14. | Maloney et al., "Identification of a chemical tool for the orphan nuclear receptor FXR," <i>Journal of Medicinal Chemistry</i> 43(16):2971-2974 (Aug. 2000).   |                     |                       |                 |                |                                  |
|   | 15. | Nichols et al., "Development of a scintillation proximity assay for peroxisome proliferator-activated receptor $\gamma$ ligand binding domain," <i>Analytical Biochemistry</i> 257(2):112-119 (Mar. 1998).                                       |                     |                       |                 |                |                                  |
|   | 16. | Nolte et al., "Ligand binding and co-activator assembly of the peroxisome proliferator-activated receptor- $\gamma$ ," <i>Nature</i> 395:137-143 (Sep. 1998).  |                     |                       |                 |                |                                  |
|   | 17. | Parks et al., "Bile acids: natural ligands for an orphan nuclear receptor," <i>Science</i> 284:1365-1368 (1999).   |                     |                       |                 |                |                                  |
|   | 18. | Yao et al., "The nuclear hormone receptor coactivator SRC-1 is a specific target of p300," <i>Proc. Natl. Acad. Sci. USA</i> 93:10626-10631 (1996).  |                     |                       |                 |                |                                  |
|   | 19. | Zhou et al., "Nuclear receptors have distinct affinities for coactivators: characterization by fluorescence resonance energy transfer," <i>Molecular Endocrinology</i> 12(10):1594-1604 (Oct. 1998).   |                     |                       |                 |                |                                  |
| Continue on page _____  |     |  |                     |                       |                 |                |                                  |
| EXAMINER  |     |  |                     |                       | DATE CONSIDERED |                |                                  |
| EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant. |     |  |                     |                       |                 |                |                                  |